

any ongoing, active certification project with an established certification basis.

**DATES:** Send comments by March 4, 2004.

**ADDRESSES:** Send all comments to Mr. Steve Thompson, Small Airplane Directorate (ACE-112), Federal Aviation Administration, 901 Locust, Room 301, Kansas City, Missouri 64106. Comments may also be sent by electronic mail to [steven.thompson@faa.gov](mailto:steven.thompson@faa.gov). Comments may be inspected at the above address between 7:30 a.m. and 4 p.m. weekdays, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steve Thompson, Small Airplane Directorate (ACE-112), Federal Aviation Administration, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone (816) 329-4126, fax (816) 329-4090.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite your comments on this notice. Send any data or views about the subject of this notice, as desired. Identify comments with "Small Jets Function and Reliability Comments, ATTN: Steve Thompson." The FAA will consider all comments received by the closing date listed above before issuing a final notice.

**Background**

Before Amendment 3-4, Section 3.19 of Civil Air Regulation (CAR) part 3 required service tests of all airplanes type certificated on or after May 15, 1947. The purpose of these tests was to "ascertain whether there is reasonable assurance that the airplane, its components, and equipment are reliable and function properly."

Amendment 3-4 to CAR part 3 became effective January 15, 1951, and deleted the service test requirement in Section 3.19 for airplanes of 6,000 pounds maximum weight or less. The introductory text published in Amendment 3-4 explained that most of the significant changes in the amendment stemmed from "the desire for simplification of the rules in this part with respect to the smaller airplanes, specifically those of 6,000 pounds maximum weight or less, which would be expected to be used mainly as personal airplanes." The introductory material also stated the service test requirement was removed for airplanes of 6,000 pounds maximum weight or less because "experience seems to indicate that this rule imposes a burden upon the manufacturers not commensurate with the safety gained." The requirement for function and reliability testing, and the exception for airplanes of 6,000 pounds or less

maximum weight, is now found in 14 CFR part 21, section 21.35(b)(2).

The decision to except airplanes of 6,000 pounds maximum weight or less from function and reliability testing was based on the state of technology envisaged in 1951. At that time, airplanes of 6,000 pounds maximum weight or less were expected to be used mainly as personal airplanes. The safety gained by requiring function and reliability testing for these airplanes did not warrant the associated added burden on the manufacturers. However, advances in technology have made possible creating turbofan-powered airplanes weighing less than 6,000 pounds that have complexity and design features not envisaged in 1951. These airplanes may also incorporate turbine engines of a type not previously used in a type-certificated aircraft. Because of their capabilities, these airplanes are viable business and commercial transportation and are not expected to be used mainly as personal airplanes. Therefore, a special condition to require function and reliability testing for turbofan-powered airplanes weighing 6,000 pounds or less may be needed to establish safety equivalent to that established by the existing airworthiness standards.

Issued in Kansas City, Missouri, on January 13, 2004.

**Dorenda D. Baker,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-2195 Filed 2-2-04; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**Notice of Intent To Rule on Application 04-16-C-00-ORD To Impose a Passenger Facility Charge (PFC) at Chicago O'Hare International Airport and To Use the Revenue at Chicago O'Hare International Airport, Chicago, Illinois.**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose a PFC at Chicago O'Hare International Airport and use the revenue at Chicago O'Hare International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the

Federal Aviation Regulations (14 CFR Part 158).

**DATES:** Comments must be received on or before March 4, 2004.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Chicago Airports District Office, 2300 East Devon Avenue, Room 320, Des Plaines, Illinois 60018.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Thomas R. Walker, Commissioner of the City of Chicago Department of Aviation at the following address: Chicago O'Hare International Airport, P.O. Box 66142, Chicago, IL 60666.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Chicago Department of Aviation under section 158.23 of part 158.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas E. Salaman, Chicago Metropolitan Program Manager, Federal Aviation Administration, Chicago Airports District Office, 2300 East Devon Avenue, Room 320, Des Plaines, IL 60018, telephone (847) 294-7436. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose a PFC at Chicago O'Hare International Airport and use the revenue at Chicago O'Hare International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 21, 2004, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Chicago Department of Aviation was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 21, 2004.

The following is a brief overview of the application.

*PFC application number:* 04-16-C-00-ORD.

*Level of the proposed PFC:* \$4.50.

*Revised proposed charge expiration date:* October 1, 2019.

*Total estimated PFC revenue:* \$37,000,000.

Brief description of proposed projects at the \$4.50 level:

*Impose and Use at ORD: 2004 Residential Insulation; 2004 School Insulation.*

*Class or classes of air carriers, which the public agency has requested, not be required to collect PFCs: Air Taxi Operators.*

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Chicago Department of Aviation.

Issued in Des Plaines, Illinois, on January 23, 2004.

**Barbara Jordan,**

*Acting Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.*

[FR Doc. 04-2196 Filed 2-2-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Monterey Peninsula Airport, Monterey, CA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Monterey Peninsula Airport under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before March 4, 2004.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261, or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Daniel H. O'Brien, Manager, Technical Support Services, Monterey Peninsula Airport District, at the following address: 200 Fred Kane Drive, Suite 200, Monterey, CA 93940. Air carriers and foreign air carriers may submit copies of written comments

previously provided to the Monterey Peninsula Airport District under section 158.23 of part 158.

**FOR FURTHER INFORMATION CONTACT:** Joseph R. Rodriguez, Supervisor, Environmental, Planning and Compliance Section, San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303, Telephone: (650) 876-2805. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Monterey Peninsula Airport under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On December 30, 2003, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Monterey Peninsula Airport District was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 1, 2004.

The following is a brief overview of the impose and use application No. 04-10-C-00-MRY:

*Level of proposed PFC:* \$4.50.

*Proposed charge effective date:* June 1, 2004.

*Proposed charge expiration date:* April 1, 2005.

*Total estimated PFC revenue:* \$379,557.

*Brief description of the proposed projects:* Upgrade Airfield Lighting, Install Airfield Markings, Security Access Control Phase II, and Terminal Modernization Improvements.

*Class or classes of air carriers which the public agency has requested not be required to collect PFCs:* Unscheduled Part 135 Air Taxi Operators.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Monterey Peninsula Airport District.

Issued in Lawndale, California, on January 8, 2004.

**Mark A. McClardy,**

*Manager, Airports Division, Western-Pacific Region.*

[FR Doc. 04-2204 Filed 2-2-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Application 04-05-C-00-EAT To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Pangborn Memorial Airport, Submitted by the Ports of Chelan and Douglas Counties, Pangborn Memorial Airport, Wenatchee, WA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use PFC revenue at Pangborn Memorial Airport, under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR 158).

**DATES:** Comments must be received on or before March 4, 2004.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Mr. J. Wade Bryant, Manager; Seattle Airports District Office, SEA-ADO; Federal Aviation Administration; 1601 Lind Avenue SW., Suite 250, Renton, Washington 98055-4056.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ms. Patricia A. Moore, Airport Manager, at the following address: One Pangborn Drive, East Wenatchee, WA 98802-9233.

Air Carriers and foreign air carriers may submit copies of written comments previously provided to Pangborn Memorial Airport, under section 158.23 of part 158.

**FOR FURTHER INFORMATION CONTACT:** Ms. Suzanne Lee-Pang, (425) 227-2654, Seattle Airports District Office, SEA-ADO; Federal Aviation Administration; 1601 Lind Avenue SW., Suite 250, Renton, Washington 98055-4056. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application 04-05-C-00-EAT to impose and use PFC revenue at Pangborn Memorial Airport, under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 20, 2004, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Ports of Chelan and Douglas Counties, Pangborn Memorial Airport, Wenatchee, Washington, was substantially complete within the